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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/380,412	01/19/2000	PATRIK LJUNGSTROEM	RIEB3.001APC	2586

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KNOBBE MARTENS OLSON & BEAR LLP  
2040 MAIN STREET  
FOURTEENTH FLOOR  
IRVINE, CA 92614

EXAMINER

MEHRPOUR, NAGHMEH

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 10/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
**09/380,412**

Applicant(s)  
**Patrik Ljungstrom et al.**

Examiner  
**Naghmeh Mehrpour**

Art Unit  
**2685**



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jul 2, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 12-22 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. **Claims 12, 20**, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding **Claims 12, 20**, in claim 12 on page 3 line 23, page 4 line 1 and in claim 20 on page 5 lines 15-16, the limitation "*wherein the base station fulfills the same functions and tasks as the home location register and respectively the authentication center of the mobile communication center*" is indefinite, since it is not clear what the functions and tasks of these entities are. That is not clear as to whether or not the claim is limited to location and authentication functions and tasks or extended to any other functions and tasks that the home location register and authentication center may possibly perform. Therefore corrections are required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 12-21**, are rejected under 35 U.S.C. 102(b) as being anticipated by Raffel et al. (US Patent Number 5,675,629).

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Regarding **Claims 12-13, 20**, as best understood considering the identifications cited above, Raffel teaches a cordless communication system for the operation of a mobile terminal of a mobile communication system with a base station that is connected to a public fixed network and that is compatible at an air interface with the mobile communication system that has at least one authentication function cordless communication system (col 2 lines 25-35) comprising:

a read/write unit within a base station, the read/write unit configured to read and write information from and to, respectively, at least one identification module, wherein sections of data of the identification module used in the base station are identical to sections of data on a chip card of an access-authorized mobile terminal (col 10 lines 50-65); and software implemented in the base station for processing of data read from the identification module and for authenticating the mobile terminal relative to the base station through the processed data, wherein the base station fulfills the same functions and tasks as the home location register (See figure 2, numeral 10, 12, 16 col 7 lines 25-37) and, respectively, the authentication center of the mobile communication system. Raffel teaches a cordless system that works with cellular system, and the cellular system usually contains the HLR/VLR/AUC (Column 34 lines 61-66).

Regarding **Claim 14**, Raffel teaches a method further comprising storing other data on the identification module and the other data including allowed frequencies, a maximum permitted output powers for the base station and the mobile terminal, allowed services, and initialization parameters which a network carrier desires to influence and which constitute a general framework

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for the operation of the base station of the cordless communication system (Column 4 lines 65-67, column 5 lines 1-19, column 23 lines 42-67, column 24 lines 1-21).

Regarding **Claims 15-16**, Raffel teaches a method comprising operating the base station of the cordless communication system so that the air interface operates in a frequency spectrum of a public mobile communication system (col 14 lines 9-11, lines 37-56).

Regarding **Claims 17-19**, Raffel teaches a method of communication that comprising a timer within the base station to a predetermined time by a network carrier, and automatically resetting the timer by a subscriber if an authorized use occurs, wherein the base station, if not used after the predetermined time has lapsed, loses authorization to operate a transmitter at frequencies assigned to the mobile communication system (Column 7 lines 43-65).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claim 22**, is rejected under 35 U.S.C. 103(a) as being unpatentable over Raffel et al. (US Patent Number 5,675,629).

Regarding **Claim 22**, Raffel fails to teach a cordless communication system wherein the predetermined standard is selected from the group consisting of ISO ID-1, ID-000, DCS 1800, and PCS 1900. However a cordless communication system wherein the predetermined standard is

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selected from the group consisting of ISO ID-1, ID-000, DCS 1800, and PCS 1900 is well known in the art. Therefore, it have been obvious to one of ordinary skill in the art at the time of the invention to use above teaching to Raffel, in order to provide a system that can be operational with variety of different networks.

***Response to Arguments***

7. Applicant's arguments with respect to claims 12-22 have been considered but are moot in view of the new ground(s) of rejection.

**Conclusion**

8. **Any responses to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 308--6296, (for formal communications indented for entry)

**Or:**

(703) 308-6306, (for informal or draft communications, please label

“PROPOSED” or “DRAFT”)

Hand-delivered responses should be brought to Crystal Park II. 2121 Crystal Drive, Arlington. Va., sixth Floor (Receptionist).


Any inquiry concerning this communication or earlier communication from the examiner should be directed to Melody Mehrpour whose telephone number is (703) 308-7159. The examiner can

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normally be reached on Monday through Thursday (first week of bi-week) and Monday through Friday (second week of bi-week) from 6:30 a.m. to 5:00 p.m.

NM

OCT 1, 2002

  
10/1/02  
**LESTER G. KINCAID**  
**PRIMARY EXAMINER**